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20 UNITED STATES DISTRICT COURT
21 EASTERN DISTRICT OF CALIFORNIA

22 MARGARET A. SHEPHERD,
23
24 Plaintiff,

25 v.

26 OFFICER GARRETT CRAWFORD, OFFICER
27 D. GRIEPP, OFFICER DAVID ANGAROLE,
28 OFFICER T. MUSTARO, OFFICER JOSEPH
PIMENTAL, OFFICER SCOPESEI, OFFICER
YAIR OAXACA, DOE OFFICER ONE, DOE
OFFICER TWO, DOE OFFICER THREE,
DOE OFFICER FOUR, CITY OF MODESTO,
THE COPPER RHINO, LLC, LESLIE R.
KNOLL, GRIFFIN ALLEN DYE, and DOES
5-20, inclusive,

Defendants.

Case No: 1:08-CV-00128-OWW-DLB

**STIPULATION AND ORDER
DISMISSING PLAINTIFF'S *MONELL*
CLAIMS AGAINST DEFENDANT CITY
OF MODESTO**

STIPULATION

It is hereby stipulated and agreed that the Plaintiff will dismiss with prejudice her *Monell* claims against Defendant City of Modesto in exchange for the City agreeing not to argue against any fee or cost request related specifically to the *Monell* claims in the event Plaintiff is a prevailing party. Defendants do not waive their right to contest any other claims of fees or costs by Plaintiff.

Dated: May 14, 2009 MEYERS, NAVE, RIBACK, SILVER & WILSON

By: /s/ Kimberly E. Colwell
Kimberly E. Colwell
Attorneys for Defendants
CITY OF MODESTO, SERGEANT GARRETT
CRAWFORD and OFFICER DOUGLAS GRIEPP

Dated: May 14, 2009 LAW OFFICES OF JAMES F. DeMARTINI

By: /s/ James F. DeMartini
James F. DeMartini
Attorneys for Plaintiff
MARGARET A. SHEPHERD

ORDER

GOOD CAUSE APPEARING, the Court hereby adopts the Stipulation of the parties as an Order of this Court. Defendant City of Modesto is hereby dismissed with prejudice.

IT IS SO ORDERED.

Dated: 5/19/2009

By: /s/ OLIVER W. WANGER
Honorable Oliver W. Wanger
United States District Court Judge